THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.16980 of 2007

Between:

Yadavalli Nadipi Badaraiah. .. PETITIONER

and

The Chairman-cum-Joint Collector and others.

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RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.16980 of 2007

ORDER:

This writ petition has been filed seeking a Writ of Mandamus declaring the action of the 1st respondent in not considering the application filed by the petitioner on 18-06-2007 under Section 5 of A.P. (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993, with regard to the social status of the 3rd respondent, as illegal and arbitrary.

It is stated that the 3rd respondent elected as the Sarpanch of Badinenipalli village, Komarole Mandal, Prakasham District under B.C. Community though he does not belong to B.C. Community. He filed O.P.No.5 of 2006 before the Election Tribunal-cum-Junior Civil Judge, Giddalur, questioning the election of the 3rd respondent. In the said context, the social status report of the 3rd respondent is necessary.

I am not inclined to express any opinion as to whether the 3rd respondent belongs to B.C. Community or not. But, however, when an application has been made, it is for the concerned authority to take appropriate action in accordance with law.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the application of the petitioner, dated 18-06-2007, in accordance with law, as expeditiously as possible, after giving notice to the 3rd respondent. There shall be no order as to costs.

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09-08-2008

Prv